

MESSAGE NO: 0204310 MESSAGE DATE: 07/23/2010

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: FNO-Final Det w/Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AMD-Amend

FR CITE: 75 FR 42682 FR CITE DATE: 07/22/2010

REFERENCE 9299203
MESSAGE #
(s):

CASE #(s): C-570-963

EFFECTIVE DATE: 07/22/2010 COURT CASE #:

PERIOD OF REVIEW: 01/01/2008 TO 12/31/2008

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF CERTAIN POTASSIUM PHOSPHATE SALTS FROM CHINA (C-570-963); MONOPOTASSIUM PHOSPHATE (MKP) EXCLUDED FROM INVESTIGATION

1. ON 07/22/2010, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS COUNTERVAILING DUTY ORDER AND AMENDED FINAL DETERMINATION IN THE INVESTIGATION OF CERTAIN POTASSIUM PHOSPHATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA. SEE 75 FR 42682.

WHEN THIS CASE WAS INITIATED, THE PRODUCTS SODIUM TRIPOLYPHOSPHATE (STPP) AND MONOPOTASSIUM PHOSPHATE (MKP) WERE INCLUDED IN THE SCOPE OF THE INVESTIGATION. SEE MESSAGE NO: 9299203, 10/26/2009. STPP IS CLASSIFIED UNDER HEADING 2835.31.0000, HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) AND MKP, CLASSIFIED UNDER HEADING 2835.24.0000, HTSUS. ON 11/23/2009, THE INTERNATIONAL TRADE COMMISSION (ITC) PUBLISHED ITS PRELIMINARY DETERMINATION, FINDING NO REASONABLE INDICATION THAT THE INDUSTRY PRODUCING STPP IS MATERIALLY INJURED OR THREATENED WITH MATERIAL INJURY. SEE 74 FR 61173. AS A RESULT OF THE ITC'S NEGATIVE DETERMINATION, STPP WAS REMOVED FROM THE SCOPE OF THE INVESTIGATION. THE DEPARTMENT CHANGED THE NAME OF THIS INVESTIGATION FROM "CERTAIN SODIUM AND POTASSIUM PHOSPHATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA" TO "CERTAIN POTASSIUM PHOSPHATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA." SEE 75 FR 10466, 03/08/2010. ON 07/22/2010 THE ITC PUBLISHED ITS FINAL DETERMINATION, FINDING THAT THE INDUSTRY PRODUCING MKP IS NOT MATERIALLY INJURED BY REASON OF IMPORTS OF SUCH MERCHANDISE SUBSIDIZED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA. SEE 75 FR 42783. THE COUNTERVAILING DUTY INVESTIGATION OF MKP HAS BEEN TERMINATED, AND MKP IS NOT INCLUDED IN THE SCOPE OF THIS ORDER.

2. THE PHOSPHATE SALTS COVERED BY THIS ORDER INCLUDE ANHYDROUS DIPOTASSIUM PHOSPHATE (DKP) AND TETRAPOTASSIUM PYROPHOSPHATE (TKPP), WHETHER ANHYDROUS OR IN SOLUTION (COLLECTIVELY "PHOSPHATE SALTS").

TKPP, ALSO KNOWN AS NORMAL POTASSIUM PYROPHOSPHATE, DIPHOSPHORIC ACID OR TETRAPOTASSIUM SALT, IS A POTASSIUM SALT WITH THE FORMULA $K_4P_2O_7$. THE CAS REGISTRY NUMBER FOR TKPP IS 7320-34-5. TKPP IS TYPICALLY 18.7% PHOSPHORUS AND 47.3% POTASSIUM. IT IS GENERALLY GREATER THAN OR EQUAL TO 43.0% P_2O_5 CONTENT. TKPP IS CLASSIFIED UNDER HEADING 2835.39.1000, HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

DKP, ALSO KNOWN AS DIPOTASSIUM SALT, DIPOTASSIUM HYDROGEN ORTHOPHOSPHATE OR POTASSIUM PHOSPHATE, DIBASIC, HAS A CHEMICAL FORMULA OF K_2HPO_4 . THE CAS REGISTRY NUMBER FOR DKP IS 7758-11-4. DKP IS TYPICALLY 17.8% PHOSPHORUS, 44.8% POTASSIUM AND 40% P_2O_5 CONTENT. DKP IS CLASSIFIED UNDER HEADING 2835.24.0000, HTSUS.

THE PRODUCTS COVERED BY THIS ORDER INCLUDE THE FOREGOING PHOSPHATE SALTS IN ALL GRADES, WHETHER FOOD GRADE OR TECHNICAL GRADE. THE PRODUCT COVERED BY THIS ORDER INCLUDES ANHYDROUS DKP WITHOUT REGARD TO THE PHYSICAL FORM, WHETHER CRUSHED, GRANULE, POWDER OR FINES. ALSO COVERED ARE ALL FORMS OF TKPP, WHETHER CRUSHED, GRANULE, POWDER, FINES OR SOLUTION.

FOR PURPOSES OF THE ORDER, THE NARRATIVE DESCRIPTION IS DISPOSITIVE, NOT THE TARIFF HEADING, AMERICAN CHEMICAL SOCIETY, CAS REGISTRY NUMBER OR CAS NAME, OR THE SPECIFIC PERCENTAGE CHEMICAL COMPOSITION IDENTIFIED ABOVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-963.

4. FOR IMPORTS OF PHOSPHATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER 07/22/2010. EFFECTIVE 07/22/2010, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT EQUAL TO THE SUBSIDY RATES FOR THE PRODUCER AND/OR EXPORTER LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION,

INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6:AH).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
C-570-963-000	109.11	E		All Others
C-570-963-000	109.11	M		All Others
C-570-963-001	109.11	E	CNLIAMUP38LIA	LIANYUNGANG MUPRO IMP & EXP CO LTD
C-570-963-001	109.11	M	CNLIAMUP38LIA	LIANYUNGANG MUPRO IMP & EXP CO LTD
C-570-963-002	109.11	E	CNMIAAOS121MI A	MIANYANG AOSTAR PHOSPHORUS CHEMICAL
C-570-963-002	109.11	M	CNMIAAOS121MI A	MIANYANG AOSTAR PHOSPHORUS CHEMICAL
C-570-963-003	109.11	E	CNSHIAND3SHI	SHIFANG ANDA CHEMICALS CO., LTD.
C-570-963-003	109.11	M	CNSHIAND3SHI	SHIFANG ANDA CHEMICALS CO., LTD.